

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**INDICTMENT FOR VIOLATIONS OF THE FEDERAL
CONTROLLED SUBSTANCES ACT**

UNITED STATES OF AMERICA	*	CRIMINAL NO:
v.	*	SECTION:
HERIBERTO GUADALUPE SAENZ	*	VIOLATIONS:
		21 U.S.C. § 846
		21 U.S.C. § 841 (a)(1)
	*	21 U.S.C. § 841 (b)(1)(A)
	*	
	*	
	*	

The Grand Jury charges that:

COUNT 1

Beginning at a time unknown but prior to December 11, 2008 and continuing to on or about September 25, 2009, in the Eastern District of Louisiana and elsewhere, the defendant, **HERIBERTO GUADALUPE SAENZ** did knowingly and intentionally combine, conspire, confederate and agree with other persons known and unknown to the Grand Jury, to distribute and possess with the intent to distribute five hundred (500) grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a

Schedule II drug controlled substance in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A); all in violation of Title 21, United States Code, Section 846.

COUNT 2

On or about September 20, 2009, in the Eastern District of Louisiana, the defendant, **HERIBERTO GUADALUPE SAENZ**, did knowingly and intentionally possess with the intent to distribute five hundred (500) grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1 and 2 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1 and 2, the defendant, **HERIBERTO GUADALUPE SAENZ**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts 1 and 2 of this Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. had been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty:

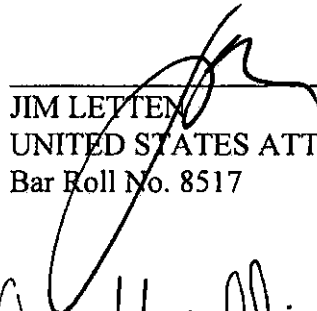
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853 (p),

to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.


All in violation of Title 21, United States Code, Section 853.

A TRUE BILL:


FOREPERSON



JIM LETTEN
UNITED STATES ATTORNEY
Bar Roll No. 8517



JAN MASELLI MANN
First Assistant United States Attorney
Bar Roll No. 9020



BRIAN J. CAPITELLI
Assistant United States Attorney
Bar Roll No. 27398

New Orleans, Louisiana
September 25, 2009